

HOUSE BILL 928

Unofficial Copy  
Q5

2003 Regular Session  
3r2506  
CF 3r1718

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By: **Delegates Stull, Amedori, Bartlett, Boschert, Boutin, G. Clagett,  
V. Clagett, Conway, Cryor, Dwyer, Edwards, Elliott, Fulton, Glassman,  
Hogan, Hubbard, Kelly, Krebs, McComas, McKee, Minnick, Montgomery,  
Myers, Petzold, Shank, Sossi, Stern, Stocksdale, and Weldon**

Introduced and read first time: February 12, 2003

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Motor Fuel Tax - Clean-Burning Fuel - Tax Rate**

3 FOR the purpose of altering the definition of gasoline to exclude certain  
4 clean-burning fuel for purposes of the fuel tax; altering the motor fuel tax rates  
5 for certain clean burning fuel; and generally relating to fuel tax imposed on  
6 clean-burning fuel.

7 BY repealing and reenacting, without amendments,  
8 Article - Tax - General  
9 Section 9-101(c-1)  
10 Annotated Code of Maryland  
11 (1997 Replacement Volume and 2002 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Tax - General  
14 Section 9-101(d) and 9-305  
15 Annotated Code of Maryland  
16 (1997 Replacement Volume and 2002 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Tax - General**

20 9-101.

21 (c-1) "Clean-burning fuel" means, when used for motor vehicle propulsion:

22 (1) natural gas;

23 (2) liquefied natural gas;

- 1 (3) liquefied petroleum gas;
- 2 (4) hydrogen;
- 3 (5) electricity; or
- 4 (6) any other fuel at least 85% of which is one or more of the following:
- 5 (i) methanol;
- 6 (ii) ethanol;
- 7 (iii) any other alcohol; or
- 8 (iv) ether.
- 9 (d) (1) "Gasoline" means a product that:
- 10 (i) is used as fuel in a spark ignited, internal combustion engine; or
- 11 (ii) is designated as gasoline by the Comptroller.
- 12 (2) "Gasoline" includes:
- 13 (i) casinghead gasoline;
- 14 (ii) absorption gasoline;
- 15 (iii) other natural gasoline; and
- 16 (iv) aviation gasoline.
- 17 (3) "GASOLINE" DOES NOT INCLUDE A CLEAN-BURNING FUEL, NO MORE
- 18 THAN 15% OF WHICH IS GASOLINE.

19 9-305.

20 The motor fuel tax rate is:

- 21 (1) 7 cents for each gallon of aviation gasoline;
- 22 (2) 23.5 cents for each gallon of gasoline other than aviation gasoline;
- 23 (3) 24.25 cents for each gallon of special fuel other than clean-burning
- 24 fuel or turbine fuel;
- 25 (4) 7 cents for each gallon of turbine fuel; [and]
- 26 (5) 17.3 CENTS FOR EACH GALLON OF E85;
- 27 (6) 18.8 CENTS FOR EACH GALLON OF PROPANE; AND

1                   (7)       23.5 cents for each gasoline-equivalent gallon of clean-burning fuel  
2 [except] OTHER THAN electricity, E85, OR PROPANE.

3       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
4 effect July 1, 2003.